

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 52

January 26, 1995, 6:06 p.m.
Page S-1598 Temp. Record

UNFUNDED MANDATES/Constitutionally Off-Budget Social Security

SUBJECT: Unfunded Mandate Reform Act of 1995 . . . S. 1. Craig motion to table the Harkin perfecting amendment No. 224 to the Harkin amendment No. 190, as amended.

ACTION: MOTION TO TABLE AGREED TO, 62-38

SYNOPSIS: Pertinent votes on this legislation include Nos. 15-41, 43-45, 47-51, and 52-61.

As reported by the Governmental Affairs Committee and the Budget Committee, S. 1, the Unfunded Mandate Reform Act of 1995, will create 2 majority (51-vote) points of order in the Senate. The first will lie against the consideration of a bill or joint resolution reported by an authorizing committee if it contains mandates and if Congressional Budget Office (CBO) cost estimates on those mandates are unavailable. The second point of order will lie against the consideration of a bill, joint resolution, motion, amendment, or conference report that will cause the total cost of unfunded intergovernmental mandates in the legislation to exceed \$50 million.

The Harkin amendment, as amended (see vote Nos. 50 and 51), would express the sense of the Senate that "any legislation required to implement a balanced budget amendment to the United States Constitution shall specifically prevent social security benefits from being reduced or social security taxes from being increased to meet the balanced budget requirement." The amendment would also make 11 findings on the Social Security program, including that it is financed through payroll taxes and that Social Security beneficiaries deserve to be reassured that their benefits will not be subject to cuts and their social security payroll taxes will not be increased as a result of legislation to implement a balanced budget amendment to the United States Constitution.

The Harkin perfecting amendment to the underlying Harkin amendment, as amended, would add back the language of that underlying amendment that was stricken by the Kempthorne amendment (see vote Nos. 50 and 51). That language would express the sense of the Senate that "any joint resolution providing for a balanced budget amendment to the United States Constitution passed by the Senate shall specifically exclude social security from the calculations used to determine if the Federal Budget is in balance." That language would also make 13 findings on the Social Security program, including that it is a contributory program.

NOTE: Following the vote, the Harkin amendment, as amended by the Kempthorne amendment, was adopted by voice vote.

(See other side)

YEAS (62)			NAYS (38)		NOT VOTING (0)	
Republicans (53 or 100%)	Democrats (9 or 19%)		Republicans (0 or 0%)	Democrats (38 or 81%)	Republicans (0)	Democrats (0)
Abraham	Hutchison	Byrd	Akaka	Hollings		
Ashcroft	Inhofe	Campbell	Baucus	Inouye		
Bennett	Jeffords	Dodd	Biden	Johnston		
Bond	Kassebaum	Exon	Bingaman	Kennedy		
Brown	Kempthorne	Kerrey	Boxer	Kerry		
Burns	Kyl	Lieberman	Bradley	Kohl		
Chafee	Lott	Moynihan	Breaux	Lautenberg		
Coats	Lugar	Robb	Bryan	Leahy		
Cochran	Mack	Simon	Bumpers	Levin		
Cohen	McCain		Conrad	Mikulski		
Coverdell	McConnell		Daschle	Moseley-Braun		
Craig	Murkowski		Dorgan	Murray		
D'Amato	Nickles		Feingold	Nunn		
DeWine	Packwood		Feinstein	Pell		
Dole	Pressler		Ford	Pryor		
Domenici	Roth		Glenn	Reid		
Faircloth	Santorum		Graham	Rockefeller		
Frist	Shelby		Harkin	Sarbanes		
Gorton	Simpson		Heflin	Wellstone		
Gramm	Smith					
Grams	Snowe					
Grassley	Specter					
Gregg	Stevens					
Hatch	Thomas					
Hatfield	Thompson					
Helms	Thurmond					
	Warner					

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

Those favoring the motion to table contended:

This vote is essentially the third vote in a row we have had on exactly the same topic. First, the Senate failed to table the Kempthorne amendment, which offered an alternative to the Harkin amendment. Then it voted to adopt the Kempthorne amendment, with many Senators who had just voted against it on the tabling motion voting in favor of its adoption. Now we are being asked to vote on the Harkin amendment, to reinstate the language of the original Harkin amendment. To make matters curiouser and curiouser, we suspect that many Senators who just voted in favor of the Kempthorne amendment, which wiped out the language of the Harkin amendment, will now vote in favor of putting that language back in. Politics can be a funny business. The arguments for and against the Harkin and Kempthorne amendments have not changed, but Senators' votes have shifted nervously anyway, because Social Security is a volatile issue. For our part, we will support the motion to table the Harkin amendment, for the reasons we expressed against the motion to table the Kempthorne amendment (see vote No. 50).

Those opposing the motion to table contended:

We oppose the motion to table the Harkin amendment for the reasons we expressed when we urged our colleagues to table the Kempthorne amendment (see vote No. 50).